REMARKS

Claims 1-54 are pending in the application. Claims 1-54 were rejected. Claims 1, 11, 22, 32-33, 41, 43-46, 48-50, and 53 are being amended. No new matter is being introduced.

Amended Claim 1 now recites "classifying the subject signal based on the presence of energy in the subbands to instantiate a validation detector related to a protocol of the classified subject signal to validate the subject signal."

In contrast, Cox et al. disclose filtering then classifying. Referring to Cox et al., Fig. 2, the filters filter components of a DTMF signal with notch filters 24H and 24L and then classify the subject signal through the use of a Block Classifier 38. The Block Classifier 38 determines whether the input signal conforms with predefined properties such as tonal purity and component magnitude and frequency. The Block Classifier 38 is followed by a Time Classifier 40 which determines whether the input signal conforms with application-specific signal duration requirements.

Further, when used for multiple signal types, the Cox et al. system includes filters and classifiers corresponding to each of those signal types (e.g., DTMF, MF-R1, and ANS), which consumes more processing resources and reduces available channels in a processor deployed in a media gateway as compared to Applicant's "classifying the subject signal . . . to instantiate a validation detector."

35 U.S.C. § 102(b)

Claims 1, 3, 4, 8-14, 22, 24-25, 29, 31-33, 35, 43-46, 48, 50, and 52-54 were rejected under 35 U.S.C. § 102(b) as being anticipated by Cox et al. (U.S. Patent 5,353,346). For reasons discussed above, Applicant respectfully submits that the rejection under 35 U.S.C. § 102(b) is improper and should be withdrawn.

Independent Claims 22, 43-46, 48, and 50 as now amended include similar claim limitations. Therefore, these claims should be allowed for similar reasons.

Because Claims 3, 4, and 8-14 depend from Claim 1; Claims 24-25, 29, 31-33, and 35 depend from Claim 22; and Claims 52-54 depend from Claim 50; these claims should be allowed for at least the same reasons.

35 U.S.C. § 103

Dependent Claims 2, 23, and 51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cox et al. in view of Applicant's admitted prior art. Dependent Claims 15, 17, 20, 21, 36, 38, 42, and 47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cox in view of well known prior art (MPEP 2144.03). And, Dependent Claims 6 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cox et al. in view of Galand et al. (U.S. Patent 4,782,523).

Neither the Applicant's admitted prior art nor the cited references teach, suggest, or provide motivation for the independent claims as now amended ("classifying the subject signal ... to instantiate a validation detector ... to validate the subject signal") as discussed above. Accordingly, Applicant respectfully submits that the rejections of these dependent claims under 35 U.S.C. § 103(a) should be withdrawn.

35 U.S.C. §101

Claims 1-54 were provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of Claims 1-3, 6, 11-12, and 14-16 of co-pending application No. 09/696,730.

In co-pending U.S. application No. 09/696,730, the preamble of Claim 1 as originally filed recites "a method for determining, in an electrical signal, a presence of sinusoids used to encode dialed digits . . .". In contrast, the preamble of Claim 1 in the present application states "a method for classifying a communication signal." Furthermore, the body of amended Claim 1 includes "determining a presence of energy in the subbands corresponding to at least one sinusoid in the subject signal." Thus, a presence of energy (e.g., energy in sinusoids used to encode dialed digits) is a portion of Claim 1. In other words, a detector or corresponding method according to co-pending U.S. application No. 09/696,730 is not being claimed in and of itself in the application at hand. Accordingly, Applicant submits that "classifying a communication signal" is patentably distinct from "determining a presence of sinusoids used to encode dialed digits" and that the double patenting rejection under 35 U.S.C. § 101 is improper and should be withdrawn.

Supplemental Information Disclosure Statement

A Supplemental Information Disclosure Statement (SIDS) is being filed concurrently herewith. Entry of the SIDS is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims (Claims 1-54) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned at (978) 341-0036.

Respectfully submitted,

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